

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

FRED DONALD MANNING,

Defendant.

No. CR07-5588 FDB

FINAL ORDER OF FORFEITURE

THIS MATTER comes before the Court on motion of the United States for entry of a Final Order of Forfeiture with respect to the properties listed below:

- (a) One (1) QSE1 iMac personal computer, Serial Number W86377DCVGN;
- (b) One (1) Seagate Hard Drive, Serial Number ST3250824AS; and
- (c) Any and all visual images of minor children engaged in sexually explicit conduct.

On February 8, 2008, this Court entered a Preliminary Order of Forfeiture in the above-captioned case forfeiting defendant Fred Donald Manning's interest in the above-described property.

The above-described property is subject to forfeiture because it was used or intended to be used to commit or to promote the commission of Shipment of Child Pornography, as charged in Count One of the Superseding Information, in violation of Title 18, United States Code, Sections 2252A(a)(1), (b)(1), and 2256, to which the defendant has pleaded guilty. The defendant has agreed to forfeiture of the above-referenced property. The property listed in paragraph (c) above is subject to forfeiture

1 because it constitutes the visual depictions themselves. The depictions and images listed  
2 in paragraph (c) shall be destroyed or retained for official (investigative) use by the  
3 Attorney General pursuant to Title 21, United States Code, Sections 853(i) and 881(e).

4 Pursuant to Title 21, United States Code, Section 853(n), the United States  
5 published notice in The Daily Journal of Commerce on March 12, March 19, and March  
6 26, 2008. In the publication the United States published notice of the Preliminary Order  
7 of Forfeiture and the intent of the United States to dispose of the property in accordance  
8 with law. This notice further stated that any person, other than the defendant, having or  
9 claiming a legal interest in the above-described property was required to file a petition  
10 with the Court within thirty (30) days of the final publication of notice or personal receipt  
11 of notice, whichever is earlier, setting forth the nature of the petitioner's right, title, and  
12 interest in the property.

13 All persons and entities believed to have an interest in the property subject to  
14 forfeiture were given proper notice of the intended forfeiture. No petitioners or claimants  
15 have come forth to assert an interest in any of the forfeited property and the time for  
16 doing so has expired. Accordingly,

17 IT IS ORDERED, ADJUDGED and DECREED that the following property is  
18 hereby fully and finally condemned and forfeited to the United States in its entirety:


- 19 (a) One (1) QSE1 iMac personal computer, Serial Number W86377DCVGN;  
20 (b) One (1) Seagate Hard Drive, Serial Number ST3250824AS; and  
21 (c) Any and all visual images of minor children engaged in sexually explicit  
conduct.

22 IT IS FURTHER ORDERED, ADJUDGED and DECREED that no right, title, or  
23 interest to the above-described property shall exist in any other party. The United States  
24 Marshals Service is authorized to dispose of the above-described property in accordance  
25 with law.

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1 The Clerk of the Court is hereby directed to send a copy of this Final Order of  
2 Forfeiture to all counsel of record and send three (3) "raised seal" certified copies to the  
3 United States Marshals Service in Seattle, Washington.

4 DATED this 9<sup>th</sup> day of May, 2008.

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8   
FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE

9 Presented by:

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